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INTRODUCTION

In any major metropolitan city, eruptions of violence and the subsequent use of force by police officers who are charged by the people with maintaining order is inevitable. However, many of our citizens have raised the questions as to whether the Los Angeles Police Department's use of deadly force has been excessive or improper. In order to move this questions out of the realm of rhetoric and into an area of responsible debate, the Board commissioned a statistical analysis of the Department's use of deadly force. Toward this end, we undertook an analysis of every shot fired by officers of the Los Angeles Police Department from 1974 through 1978/9 in order to determine the frequency, and results of shootings in Los Angeles, how shooting patterns in Los Angeles compared with those in other large cities, and the involvement in shootings of citizens of different race or descent in Los Angeles.

The data speak to that which is measurable. There are other complex factors involved in an officer's decision to shoot that are not quantifiable. While evaluation of police performance in statistical fashion is imperfect, the Board nevertheless considers it a valid tool in the process of self-examination directed toward the improvement of police service in our community.

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The first part of the report is devoted to a general
description of the project and its objectives. It
then goes on to describe the methods used in the
study and the results obtained. The final part of
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concise style and is well organized. It is a
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The statistical analysis of officer-involved shootings was undertaken with the assistance of Marshall W. Meyer, Professor of Sociology at the University of California, Riverside, who was the Commission's consultant for this project. Professor Meyer designed the study, supervised the coding of departmental investigations of shootings into machine-readable form, and prepared the drafts of this part of our Report. Professor Meyer also conferred extensively with senior staff officers of the Department regarding this study.

Because of the caution with which one must view any statistical analysis, the Board of Police Commissioners sought a critique of a draft of this part of our Report from experts in the fields of sociology, statistics, and police administration. The following are quotes from their independent reviews:

"I have carefully read the statistical analysis of Los Angeles Police Officer-Involved Shootings, 1974-78. The report makes use of simple and universally accepted methods of analysis of the data and the author draws conscientious and carefully justified conclusions from the analysis. I can find no fault with the analysis, and the findings as reported are carefully justified on the basis of the data."

Dr. Ralph Turner
Professor of Sociology
University of California, Los Angeles
President, American Sociological
Association, 1968-1969



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"The report is clear and concise, and properly cautious in interpretation...extremely informative on a matter of the greatest sensitivity and seriousness."

Dr. James F. Short, Jr.
Director, Center for Social Research
Washington State University
Research Director, National Commission on
Causes and Prevention of Violence,
1968-1969

"In interpreting the data one would like to be able to assign causes or explanations to those discrepancies which are too large reasonably to be considered chance phenomena. It seems to me that there is no evidence in the data presented which would lend credence to one particular explanation."

Dr. David O. Siegmund
Professor of Statistics
Stanford University

"I think it is an excellent report, one of the best I have read on the subject, and could contribute not only to a better understanding of the problems in Los Angeles but also to serve as a guide to other police officials in other departments who want to define unnecessary use of force."

Catherine Milton
Senior Author,
Police Use of Deadly Force,
published by the Police Foundation, 1974

Although the reviewers agreed as to the technical adequacy of the data, no consensus emerged from their comments regarding particular conclusions to be drawn from them. After considering their responses, the Police Commission with the further assistance of Professor Meyer revised the report so as to incorporate the available 1979 data and carefully limited its findings to conclusions

that we believe to be clearly and objectively demonstrable. Beyond that, however, the material contained in this Report can serve as the basis for informed discussion and debate, which we hope will result in continued and expanded efforts to improve the safety and welfare of all of our citizens.

The first part of the report is a general introduction to the subject of the study. It discusses the importance of the study and the objectives of the research. The second part of the report is a detailed description of the methodology used in the study. This includes a discussion of the data sources, the sampling method, and the statistical techniques used to analyze the data. The third part of the report is a discussion of the results of the study. This includes a description of the findings and a comparison of the results with the objectives of the study. The final part of the report is a conclusion and a list of references.

II.

STATISTICAL ANALYSIS OF LOS ANGELES POLICE DEPARTMENT OFFICER-INVOLVED SHOOTINGS, 1974-1978/9

A. Overview of Study

This statistical analysis of officer-involved shootings identifies historical patterns of such shootings in Los Angeles. The analysis complements investigations of individual shooting incidents in that it describes the frequency of different kinds of shootings as well as circumstances surrounding shootings and results of the shooting review process over a five to six-year interval.

The study was undertaken with the full cooperation of the Los Angeles Police Department. Complete access to all pertinent data was provided, and requests for information were always met with prompt and thorough responses.

This analysis relies entirely upon the Department's accounts of shootings presented in original investigative reports of shooting incidents and other departmental documents. No attempt has been made to reconcile these departmental records of shootings with other accounts, such as those in the press or in court records, and no independent investigation of shooting incidents was made by the Board of Police Commissioners at the time of the incidents or in connection with the preparation of this analysis.

Our statistical analysis covers 913 officer-involved shootings in the Los Angeles Police Department from January 1, 1974 through December 31, 1978. It is based on files maintained by the Staff Research Section of the Personnel and Training Bureau, supplemented by information obtained from departmental personnel files and records of the Robbery-Homicide Division of Detective Headquarters Bureau. Of the 913 incidents of shooting that have been reviewed, all but one, the Symbionese Liberation Army shootout of May, 1974, are included in our computer data files and in all portions of the statistical analysis.¹

As far as can be determined, the files of shooting investigations maintained by the Staff Research Section are virtually complete for years 1977 and 1978. The 1977 files were audited at the end of the year by comparing them with shootings reported in the Chief's Daily Occurrence Log, and missing reports of shootings were retrieved and added to the files. Since January 1, 1978, all officer-involved shootings have been numbered consecutively and entered into a journal kept by the Staff Research

¹The SLA shootout is included in Tables 1, 2, 3, and 9 below but otherwise excluded because it would distort grossly the other shooting statistics. More than 5,000 rounds (plus 83 tear gas canisters) were fired by Los Angeles Police officers in the SLA incident, more rounds than the total fired in the remaining 912 officer-involved shootings analyzed here.

Section. The entries are made the morning after shootings occur, and a journal notation is made when administrative review of the shooting has been completed. No audits or independent journal entries were made for shootings prior to July 1, 1976. The 1977 audit suggests that about ten per cent of shootings not investigated by Robbery-Homicide, i.e., ten per cent of shootings involving no injury or death, are likely to be missing for earlier years. Of shootings investigated by Robbery-Homicide, all but one, the SLA shootout, appear to be in the files of the Staff Research Section. The files include the Robbery-Homicide report on each shooting where a person is injured or copies of the supervisor's investigation (on Form 15.07) in non-injury cases, materials appended to those reports such as arrest and medical records, and the report of the Shooting Review Board, including the final administrative disposition of each case.

Two data files were designed by the Commission's consultant based on information made available by the Department. Records in the first, the "suspect" file, describe the person (or object, if any) shot at. The date and location of each shooting, a description of the person (or object) shot at, the suspect's action prior to the shooting, weapons, if any, possessed and/or used by the suspect, shots fired by Los Angeles Police officers, and the results of the shooting review process are indicated for each person (or object) shot at. Shootings of bystanders, hostages, animals, and accidental discharges and warning shots are included in the "suspect" file, but are excluded from the statistical analysis, save for Tables 1, 2, 3, and 9, which include all persons shot (hit) and shot fatally by the

Los Angeles Police Department. One entry is made in the "suspect" file for each person (or object) shot at in an incident. There are 984 entries in the "suspect" file due to the involvement of multiple suspects in some shootings. The second data file is our "officer" file. Records in this file contain information on each Los Angeles Police officer involved in a shooting in the 1974-78 interval. Up to six shootings are coded for each officer.² The location of the shooting, the officer's assignment, shots fired, and the outcome of review of each shooting are described in the "officer" file. Some 1070 officers discharged their weapons in the shooting incidents reviewed for this study, excluding the SLA shootout. Both data files were initially key punched on IBM cards and later transferred to disc storage in the City's Data Service Bureau.³

²No officer was involved in more than six shooting incidents in the 1974-78 period.

³The relationship of the "suspect" and "officer" data files to other statistical systems maintained by the Los Angeles Police Department should be mentioned. The Department Manual makes reference to an Officer-Involved Shooting System where basic data about shootings are to be maintained. Since 1978, a "Shooting Statistical Sheet" has been completed after findings of the shooting review process have been determined. Although the Department has made some effort to code these sheets into machine-readable form, Automated Information Division of the Los Angeles Police Department has not, as far as we know, completed the initial processing of the information.

The 146 officer-involved shooting incidents that occurred in 1979 have also been reviewed in connection with this analysis but have not been entered into our computer files. Certain data concerning 1979 shooting incidents are reported in Tables 1, 2, 3, and 6 and in subsequent discussion. These 146 incidents are not otherwise included in the statistical analysis since investigations, reviews, and final adjudications of a number of the 1979 Los Angeles Police officer-involved shootings were not completed in time to be included in this study.

Most of the items used in the statistical analysis are taken directly from departmental investigations, which state clearly the number of shots fired, shots wounding a suspect, and the race or descent of the person shot at. Investigative accounts of shootings also provide narrative descriptions of the events preceding a shooting, but the Los Angeles Police Department does not routinely classify the actions of suspects shot at in tactical situations. However, classification of suspects' actions was deemed necessary for purposes of this statistical analysis and was done for all cases entered into our data files.

Seven categories were used to classify suspect's actions prior to shooting incidents. These categories are based on the precipitating act of the suspect. Using a weapon, whether a gun, knife, automobile used for purposes of assault, or any other potentially lethal or injurious object, is one such category.

Threatening the use of but not actually using a weapon, whether by pointing or aiming it or by indicating verbally that a weapon would be used, is a second category. Displaying a weapon while not threatening its use, either verbally or otherwise, is a third category. Assaulting an officer or civilian where no weapon is used, threatened or displayed is a fourth category. Appearing to reach for a weapon when no weapon is actually used, threatened, or displayed and there is no assault--is a fifth category.⁴ Finally disobeying an officer's order, usually an order to "freeze" or "halt," when no weapon is used, threatened, or displayed, and there is no assault, is the sixth category. Suspects shot at after disobeying officers' orders to halt are persons believed by officers to have committed felony crimes. A seventh category is other actions precipitating shootings, and includes accidental discharges at suspects.

In almost all instances, the suspect's act precipitating a shooting incident is the final act that caused the officer to fire, i.e., that act but for which the shooting would not have taken place. The exceptions are those occasional instances where two or more potentially precipitating acts occurred within a very short period of time (e.g., firing a weapon and then disobeying a command to "freeze"), in which case only the higher classification or most

⁴Appearing to reach for a weapon is often called "furtive movement" in departmental investigations and reports.

life-endangering act of the suspect is the one coded. The categories of disobeying officers' commands and appearing to reach for weapons are thus extremely restrictive and include only cases where no more threatening action of the suspect occurred within the period immediately preceding the shooting.

The categories used to describe suspects' weapons are straightforward, but the reader should note that the unarmed category is quite restrictive. A suspect is considered to be unarmed only if he did not use a weapon, including a vehicle for purposes of assault, and if he is found after the shooting incident not to have possessed a weapon. In other words, a suspect who did not use, threaten, or display a weapon but is ultimately found to have been in possession of one is classified as being armed.

The statistical analysis of Los Angeles Police officer-involved shootings begins by examining trends in officer-involved shootings over the 1974-78/9 interval and comparing shooting patterns in Los Angeles with those in other large cities. We then turn to an examination of rates and patterns of shootings at suspects of different race or descent in Los Angeles, and an analysis of results of the shooting review process by race or descent of suspects shot at.

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B. Trends in Los Angeles and Comparisons With Other U.S. Cities

1. Trends in Los Angeles, 1974-1978/9

In the past six years, there has been a substantial decrease in police shootings in Los Angeles. We begin by examining the number of shooting incidents. An incident is defined as one or more police officers shooting at one or more persons (or objects).⁵ In 1974, Los Angeles Police officers were involved in 208 shooting incidents, whereas 143 shooting incidents occurred in 1978 and 146 in 1979. Save for 1976, the number of shooting incidents decreased each year, although the largest decreases occurred in 1977 and 1978.

The number of persons shot at as opposed to shooting incidents, also decreased substantially over the five-year interval covered by our study. Some 149 suspects, persons whom police officers knew or believed to have committed felony crimes, were shot at in 1974. The number of suspects shot at was 119 in 1975, 122 in 1976, 120 in 1977, but it dropped to 101 in 1978 and 102 in 1979. Other types of shootings including shootings of

⁵Generally, each shooting incident is assigned a single Divisional Report (or DR) number by the Los Angeles Police Department regardless of the number of officers or civilians involved.

standers, hostages, animals, and accidental discharges also decreased over the 1974-79 interval.

⁶Bystanders and hostages include persons shot at whom officers mistook for suspects when in fact a suspect was present or nearby, as well as persons hit unintentionally by officers' shots aimed at suspects. Accidental discharges include all incidents ruled accidental by shooting review boards, except for those occurring in tactical situations where officers may have had cause to fire deliberately. Other non-accidental shootings include shots fired at cars and street lamps, and warning shots.

TABLE 1:

NUMBER OF SHOOTING INCIDENTS BY YEAR

	<u>1974*</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979**</u>
Number						
of Incidents	208	193	202	166	143	146

*Includes SLA shootout

**Reported only in Tables 1, 2, 3 and 6; not otherwise included in statistical analysis.

TABLE 2: PERSONS/OBJECTS SHOT AT BY YEAR

	<u>1974*</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979**</u>
Suspects	149	119	122	120	101	102
Bystanders/Hostages***	0	2	12	6	0	**
Animals	22	21	30	20	12	**
Accidental Discharges****	39	39	43	24	23	**
Other Non-Accidental	15	19	10	12	13	**

*Includes SLA shootout (6 suspects).

**1979 incidents not involving suspects were not classified as to persons/objects shot at.

***Whether or not considered a suspect when shot.

****Other than shots fired accidentally at persons suspected of crimes in tactical situations.

Commencing in 1978, there was a substantial decrease in persons shot (hit) and persons shot fatally. The number of persons actually shot--that is, hit--changed little prior to 1978, and the number of persons shot fatally did not decline prior to that year. The number of persons shot increased through 1976; the number shot fatally increased through 1977. About eighty persons per year were shot from 1974 through 1977. This number decreased to 63 in 1978 and 61 in 1979. (These numbers of persons shot, it should be noted, include police officers shot accidentally by themselves or other officers; there were 6 such shootings in 1974, 6 in 1975, 9 in 1976, 1 in 1977, 3 in 1978, and 4 in 1979.) About thirty people per year were shot fatally from 1974 through 1977, but the number of shooting fatalities dropped to 20 in 1978 and 14 in 1979.

TABLE 3: TOTAL PERSONS SHOT (HIT) AND PERSONS SHOT FATALLY BY YEAR

	<u>1974*</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>
Total number						
shot (hit)	75	81	84	74	63	61
Number killed	26	30	30	33	20	14

*Includes SLA shootout (4 shot, 2 killed by LAPD bullets).

The decrease in the number of total shooting incidents, persons shot at, persons hit, and persons shot fatally in 1978, as well as the further decrease in persons shot fatally in 1979 may be fortuitous or may be due to factors reflected in national trends in police shootings.⁷ On the other hand these changes may reflect specific actions taken by the Police Commission and the Department for the purpose of reducing the number of shootings. Commission and departmental actions related to shootings include revision of the Los Angeles Police Department shooting policy, which was adopted by the Commission September 8, published by the Department September 30, 1977, and followed by a series of four-hour shooting seminars that all officers were required to attend. The new shooting policy and related training may have been the cause of decreased incidents of police shootings overall as well as decreased injuries and fatalities in 1978, and again in 1979.

The decreased number of accidental shootings in 1977 may also reflect specific departmental actions. The goal of eliminating accidental discharges was made explicit and given special emphasis

⁷National Center for Health Statistics series on fatal police shootings, which may underestimate substantially such deaths as noted below, suggests a decline in shooting fatalities throughout the United States.

in the 1976 and 1977 Office of Operations statement of goals and objectives published in mid-year. This emphasis may have been a cause of decreased accidental shootings in 1977, as well as the continued low number of accidental discharges in 1978.

There is no way to determine with certainty to what extent changes in shooting policy as opposed to other events account for decreased incidents, persons shot, and shooting deaths in 1978 and 1979. However, researchers have argued that policy does affect the behavior of police officers,⁸ and the changes in shooting patterns in Los Angeles that occurred in 1978 are consistent with the changes in policy instituted in the fall of 1977. The new shooting policy includes a preamble stating that "A reverence for human life shall guide officers in considering the use of deadly force." It changed the directive that "An officer does not necessarily shoot with the intent to kill" to "An officer does not shoot with the intent to kill." The new policy places specific restraints on shootings of fleeing felons. The former policy stated that, "An officer is

⁸Three sources of this argument are Gerald F. Uelman, "Varieties of Police Policy," Loyola of Los Angeles Law Review 6(1973) 1-65; and Catherine H. Milton et. al., Police Use of Deadly Force (Washington, D.C.: Police Foundation, 1977), ch. 2; and James J. Fyfe, "Administrative Interventions on Police Shooting Discretion," Journal of Criminal Justice 7(1979), 309-323..

authorized the use of deadly force when it reasonably appears necessary to prevent the escape of a felon." The policy adopted in 1977 authorizes deadly force only

To apprehend a fleeing felon for a crime involving serious bodily injury or the use of deadly force where there is a substantial risk that the person whose arrest is sought will cause death or serious bodily injury to others if apprehension is delayed.

The effects of the new shooting policy resulting from both direct departmental implementation of the revised policy and officers' increased awareness of departmental and community concern about shootings should be particularly evident in decreased frequency of shooting incidents where the lives of police officers and others are not in immediate danger, although the effects should be reflected in other categories as well.

The statistical analysis of Los Angeles Police Department shooting data reveals changes in the shooting behavior of officers consistent with both shooting policy changes made in late 1977 and the tenor of public debate about police shootings at that time. The data show that certain kinds of shooting incidents decreased much more rapidly than others from 1977 to 1978, especially those most restricted by the new shooting policy.

A number of shootings are precipitated by suspects' actions other than an assault upon an officer or third person or a suspect's display of, threat of using, or actual use of a weapon. For example, some shooting incidents occur after suspects who are believed to be dangerous felons disobey orders to halt, even though no weapon is used, threatened, or displayed, and there is no assault. Some suspects are fired at after making movements appearing to the officer as attempts to reach for a gun or other weapon, even though no weapon is used, threatened, or displayed, and no assault takes place. Taking these two categories together, 36 shootings at suspects were precipitated by disobeying orders to halt or by appearing to reach for a weapon in 1974 and 32 in 1977. Only 11 shootings were precipitated by disobeying orders to halt or appearing to reach for a weapon in 1978, a 66 per cent decline in such shootings in the year following adoption of the current shooting policy. Between 1974 and 1977, shootings precipitated by felony suspects' disobeying orders to halt declined from 20 to 15, but there were only seven such incidents in 1978 after the new policy was fully implemented. Between 1974 and 1977 the number of shooting incidents precipitated by suspects' appearing to reach for weapons ranged from 11 to 17 each year, but only four shootings were precipitated by such actions in 1978.

TABLE 4: SHOOTINGS AT SUSPECTS PRECIPITATED BY SUSPECTS' DISOBEYING
ORDERS TO HALT AND APPEARING TO REACH FOR WEAPONS, BY YEAR

	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
Felony Suspect Disobeying					
Command to Halt	20	18	18	15	7
Per cent of all suspects					
shot at	14%	15%	15%	12%	7%
Suspect Appearing to					
Reach for Weapon	16	11	11	17	4
Per cent of all suspects					
shot at	11%	9%	9%	14%	4%
All Other Precipitating					
Actions	107	90	93	88	90
Per cent of all suspects					
shot at	75%	76%	76%	74%	89%

In addition to examining suspects' actions that precipitated shootings, we should consider whether or not suspects shot at were in fact armed. A suspect is considered armed if he possessed a gun, knife, other cutting instrument, blunt instrument, simulated weapon, or if he assaulted an officer or another person with a vehicle; most unarmed suspects were involved in shootings in the two categories we have just discussed--those precipitated by disobeying officers' orders to halt or appearing to reach for weapons. A number of suspects are shot at who are ultimately found to have been unarmed. From 1974 to 1977, the number of suspects shot at who were ultimately found to have been unarmed dropped from 39 to 32 per year, but in 1978 the number dropped to 14, a 56 per cent decline from the previous year. From 1974 through 1978, 70 per cent of the suspects involved in shootings precipitated by disobeying officers' commands or appearing to reach for weapons were ultimately found to have been unarmed. Sixty-seven per cent of the suspects who disobeyed officers orders to "freeze" or "halt" and seventy-three percent of the suspects who appeared to be reaching for weapons were in fact unarmed.

TABLE 5: SHOOTINGS AT SUSPECTS FOUND TO BE UNARMED, BY YEAR

	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
Number of unarmed suspects	39	34	34	32	14
Per cent of suspects					
shot at	27%	29%	28%	27%	14%

Altogether, the data show that in 1978, the year in which the current shooting policy was fully implemented, shootings at suspects disobeying orders to halt or appearing to reach for weapons decreased sharply, not only in number but in proportion to total shootings. Similarly, shootings at suspects ultimately determined to be unarmed decreased sharply, both in number and in proportion to total shootings.

We should also consider the number of shots fired in shooting incidents. Although the percentage of suspects who were fired upon only once in an incident increased steadily from 1974 to 1978 (but declined in 1979), the mean number of shots fired at each suspect also increased from 1974 to 1977 but dropped in 1978 after the new policy was instituted and dropped further in 1979. Whereas an average of 4.40 shots were fired at each suspect shot at in 1977, 3.69 shots per suspect were fired in 1978 and 3.19 in 1979.

TABLE 6: PERCENT OF SUSPECTS FIRED AT ONCE AND MEAN NUMBER OF SHOTS FIRED AT EACH SUSPECT, BY YEAR

	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>
Percent single shots	38%	40%	43%	43%	46%	41%
Mean number of shots	3.87	4.11	4.11	4.40	3.69	3.19

Overall, from 1974 to 1978, numbers of shooting incidents, accidental shootings, persons shot at, shots fired, persons hit, and shooting fatalities decreased in Los Angeles. Paralleling these trends, shootings precipitated by suspects' disobeying orders to halt or appearing to reach for weapons, and shootings of suspects ultimately determined to be unarmed decreased in both number and in proportion to total shooting incidents. Changes occurring between 1977 and 1978 suggest the impact of the new restrictive shooting policy on actual behavior of police officers. Reductions occurred in all categories except accidental shootings, which had declined sharply in the previous year. The greatest declines were in the number and percentage of shootings where the suspect's action precipitating a shooting was disobeying an officer's command to halt or appearing to reach for a weapon, and in the number and percentage of shootings where the suspect was ultimately found to be unarmed.⁹

⁹One might ask at this point what impact potentially missing cases might have on these conclusions. If a fraction of single-shot incidents where no one was struck by a bullet were absent from the 1974 and 1975 data, then numbers of shooting incidents and suspects shot at would decline even more rapidly than Tables 1 and 2 show, and, in all likelihood, shootings following disobeying an officer and for furtive movements as well as shootings of unarmed suspects would also decline more rapidly. Shots per incident would increase

Continuation Footnote 9

were rapidly from 1974 to 1977 than shown in Table 6. Our conclusions concerning the effects of the new restrictive shooting policy would not be altered, however, because of the extremely low likelihood that a small number of missing cases would be distributed so that rates of change in the early years of the study would exceed the rate of change between 1977 and 1978.

2. Comparison of Los Angeles With Other U.S. Jurisdictions

Any attempt to compare U.S. cities (and counties) with respect to police shootings or in any other respect is extremely hazardous. This is so because localities differ in their population composition, industrial and commercial bases, and forms and functions of government. The last, functions of government, is a major consideration when examining police shootings. The Los Angeles Police Department, for example, does not have primary responsibility for patrolling the freeways, whereas many city police departments enforce traffic laws on all streets. The Los Angeles County Sheriff's Department (LASD) does not have primary traffic responsibility in unincorporated areas of Los Angeles County, although it does in cities contracting for its services. The New York Police Department, by contrast, has full traffic responsibility in the City, but a separate Transit Authority police force patrols the subways where a substantial portion of New York's crimes are committed. Such diversity among governmental entities means that statistical comparisons must be made with caution and that judgments should not be based on them unless large differences appear.

The difficulty of comparing police shootings in various localities is further compounded by the unreliability of national data on the subject. Many researchers have relied at least partially on the National Center for Health Statistics series describing "Death by Other Legal Intervention" as a measure of civilian fatalities caused by police actions, almost all of which

are by shooting. However, ample evidence now exists showing that the NCHS series underestimates by forty to fifty per cent the true number of civilian deaths resulting from police action.¹⁰ Our own comparison of the data published by the Police Foundation with the 1973 and 1974 NCHS mortality statistics, the latter released in March, 1979 supports this conclusion. As can be seen from the table below, the Police Foundation study found twice as many civilian fatalities caused by police in Washington, D.C. as NCHS did; it also found almost as many fatalities in Birmingham as NCHS did in all of Alabama, and almost as many in Detroit as NCHS reported for the entire state of Michigan. Because police shootings nationwide are underreported, the Los Angeles Police Department's policy of disclosing all shootings may have had the inadvertent and erroneous effect of making the Department appear to be more shooting-prone than other police agencies. Comparisons of Los Angeles with other national data reported by NCHS are therefore likely both to be misleading and to cast the Los Angeles Police Department in an unfavorable and unfair light.

¹⁰ Lawrence W. Sherman and Robert H. Langworthy, "Measuring Homicide by Police Officers." Unpublished manuscript, SUNY at Albany, 1979.



TABLE 7: COMPARISON OF POLICE FOUNDATION AND NCHS DATA ON SHOOTING DEATHS

Police Foundation Study*			National Center for Health Statistics**		
<u>CITY</u>	<u>1973</u>	<u>1974</u>	<u>STATE</u>	<u>1973</u>	<u>1974</u>
Birmingham	5	6	Alabama	6	9
Detroit	28	24	Michigan	31	22
Indianapolis	2	11	Indiana	13	21
Kansas City	5	1	Missouri	8	11
Oakland	1	3	California	37	35
Portland	0	3	Oregon	2	4
Washington, D.C.	10	12	D.C.	5	5

* Milton et. al., op. cit., Table 9.

**Death by "other legal intervention", codes E970-77. Shooting deaths may be 2 to 3 per cent lower.

Perhaps the most familiar if not the easiest comparison is between the Los Angeles Police Department and the Los Angeles County Sheriff's Department. The Sheriff's Department, (LASD), is responsible for law enforcement in unincorporated areas of the County and cities (such as Lakewood) contracting for patrol service. Some 1.85 million people were covered by the LASD's force of 5500 sworn officers compared to 2.84 million covered by the Los Angeles Police Department's force of 7300 sworn officers during the period covered by this study. Data kindly supplied to us by the Sheriff's staff show that unlike the Los Angeles Police Department's pattern, neither the number of persons shot, that is, hit by LASD deputies nor the number of persons shot fatally declined after 1975. In fact, a substantial increase in both categories occurred commencing in 1976. Whereas in 1975, some 26 individuals were shot and 6 shot fatally by LASD deputies, 44 were shot and 16 shot fatally in 1978. No information about shooting incidents that did not result in injury has been made available by the Los Angeles Sheriff's Department and, as far as we are aware, the Sheriff's Department does not maintain statistical data on shootings not resulting in injury.

TABLE 8: NUMBER OF PERSONS SHOT (HIT) AND SHOT FATALLY BY LASD,
BY YEAR

	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
Number shot (hit)	26	42	44	44
Number killed	6	17	12	16

Summary statistics depict the differences in shooting patterns between the Los Angeles Police Department and the Los Angeles Sheriff's Department during the periods studied in this analysis. Per year, the Los Angeles Police Department shot 2.64 citizens per 100,000, whereas the Los Angeles Sheriff's Department shot 2.11. In 1978, however the Los Angeles Police Department shot 2.18 citizens per 100,000, and the Los Angeles Sheriff's Department 2.38. Per year, .979 citizens per 100,000 were shot fatally by police officers in Los Angeles, whereas the comparable rate for territory patrolled by the Los Angeles Sheriff's Department was .689. In 1978, however, the fatality rate was .704 per 100,000 for the Los Angeles Police Department and .865 for the Los Angeles Sheriff's Department. Overall, the ratio of deaths to total shootings was also somewhat higher for the Los Angeles Police Department than the Los Angeles Sheriff's Department, but it was lower in 1978. The data show that in the past, the Los Angeles Police Department had had more shootings and shooting deaths per capita and more deaths per shooting than the Los Angeles Sheriff's Department, but that in 1978, Los Angeles Police Department rates were lower in these categories than those of the Los Angeles Sheriff's Department. These summary statistics, it should be noted, are not adjusted for differences in crime and arrest rates for the populations served, which are substantial.¹¹

¹¹For example, the arrest rate for Part I offenses in 1978 was 11.0 per thousand in Los Angeles and 8.9 per thousand in the territory served by the Los Angeles Sheriff's Department.

Comparisons of numbers of persons shot--that is, hit--and shot fatally in Los Angeles with other cities yield a complex pattern of statistics. While the per capita rate of shootings in Los Angeles is lower than in most of the other eight cities for which we have data, the rate of fatal shootings per police officer is higher in Los Angeles than in five other cities, and the ratio of fatal shootings to all shootings is higher than in any other locality for which we have data. Other than the Los Angeles Sheriff's Department, comparable recent shooting data for periods in the first half of the 1970's are available for New York, Birmingham (Alabama), Oakland, Portland, Kansas City (Missouri), Indianapolis, Washington, D.C., and Detroit. No comparable data are available after 1975. The New York data for the 1971-1975 interval are from James J. Fyfe's Ph.D dissertation¹², and data for the other seven cities for 1973 and 1974 are taken directly from the Police Foundation study reported in Police Use of Deadly Force. As can be seen in the following table, shootings per capita are virtually identical in Los Angeles, New York, and Kansas City. Per capita, shooting rates are higher than Los Angeles in Birmingham, Indianapolis, Washington, D.C., and

¹²Complete reference is in notes to Table 9. Fyfe reviews the entire literature on police shootings in Chapter 2 of his dissertation. Almost all of the studies cited concern fatalities but not non-fatal incidents, and others have serious methodological flaws.

TABLE 9: POLICE SHOOTINGS IN LOS ANGELES AND OTHER JURISDICTIONS

	<u>Years</u>	<u>Persons Shot (Hit)</u>	<u>Shootings per 100,000*</u>	<u>Shootings per 1000 Officers*</u>	<u>Persons Shot Fatally</u>	<u>Shooting Fatalities per 100,000*</u>	<u>Shooting Fatalities per 1000 Officers*</u>	<u>Ratio of Shooting Fatalities to Shootings</u>
**LAPD	1974-78	377	2.65	10.32	139	.979	3.81	.37
LASD	1975-78	156	2.11	6.90	51	.689	2.25	.33
New York City	1971-75	1057	2.61	8.72	323	.789	2.67	.31
Birmingham	1973-74	41	6.93	32.18	11	1.86	8.63	.27
Oakland	1973-74	17	2.46	11.77	4	.578	2.77	.24
Portland	1973-74	9	1.19	6.30	3	.397	2.10	.33
Kansas City	1973-74	26	2.66	9.92	6	.615	2.29	.23
Indianapolis	1973-74	36	3.54	16.22	13	1.28	5.86	.36
Washington, D.C.	1973-74	70	4.77	7.09	22	1.50	2.23	.31
Detroit	1973-74	179	6.44	16.05	52	1.87	4.66	.29

* Average annual rates

** Includes SLA shootout (4 shot, 2 killed)

Sources: LAPD: Department files

LASD: 1977 and 1978 Annual Reports on Tactical Deputy Involved Shootings

New York: James J. Fyfe, "Shots Fired: An Examination of New York City Police Firearms Discharges." Ph.D. Dissertation, State University of New York at Albany, 1978.

Other seven cities: Catherine Milton et. al., Police Use of Deadly Force, op.

Detroit. The Los Angeles Sheriff's Department, Oakland, and Portland have lower per capita shooting rates, although, as already noted, the Los Angeles Police Department's shooting rate was lower than the Los Angeles Sheriff's Department in 1978. Per officer, shooting rates were higher than Los Angeles in Birmingham, Oakland, Indianapolis, and Detroit; and lower in the Los Angeles Sheriff's Department, New York, Portland, Kansas City, and Washington. Per capita deaths were higher than Los Angeles in Birmingham, Indianapolis, Washington, and Detroit; shooting deaths per police officer were higher only in Birmingham, Indianapolis, and Detroit. Finally, the ratio of deaths to shootings is higher in Los Angeles than in the other jurisdictions, although it is only slightly higher than Indianapolis. Put somewhat differently, of the ten police agencies including the Los Angeles Sheriff's Department for all years for which there are comparable data, Los Angeles ranks sixth in shootings per capita, fifth in shootings per officer, fifth in shooting deaths per capita, fourth in shooting deaths per officer, and first in deaths per shooting. Bearing in mind the unavailability of comparable recent data from other cities, we note that the 1978 and 1979 Los Angeles data showing substantial reductions in shootings may indicate that these rankings have changed.

The data suggest that Los Angeles officers have not differed greatly from other police officers in the frequency with which they use deadly force, but that in incidents where persons are shot--that is, hit--fatalities have more often resulted in Los Angeles than in

other cities. Again, we note that these while these comparisons are based on the only reliable data that are available, no data are available for areas outside of Los Angeles for the time period that would be most useful for this study.

There are several possible explanations for the past high ratio of fatal shootings to total shootings in Los Angeles. The statistical analysis suggests two possible contributing factors, namely that Los Angeles Police officers fired their weapons more accurately than officers in other cities, and that they fired more rounds in each shooting incident. Data on rounds fired as well as on shooting incidents where no person was hit are available for only Los Angeles and New York, hence comparisons will be limited to these two cities. These comparisons yield several results. First, Los Angeles Police officers appear to shoot more accurately than New York Police Department officers. Of 2432 rounds fired at suspects in Los Angeles from 1974 to 1978, 722, or 30 per cent, struck their targets.¹³ Of 7394 rounds fired at suspects in New York City from

¹³The Los Angeles Police Department, like other major departments in the United States, trains officers to shoot for the central body mass. Since 70 per cent of rounds, shot from an average distance of seven feet, miss their intended targets, it would not be feasible to train officers to shoot for extremities.

1971 to 1975, 1130, or 15 per cent, actually hit their targets.¹⁴ Second, Los Angeles Police officers fired more rounds per incident than their counterparts in New York did in the period prior to 1976. Over the 1971-75 interval, an average of 3.28 bullets was fired per incident by New York officers. Los Angeles Police officers fired an average of 4.42 rounds per incident from 1974 through 1978. As noted earlier, the number of rounds per incident fired by Los Angeles Police officers declined substantially in 1978 and again in 1979.¹⁵

There is no guarantee that New York is representative of other U.S. cities or that Los Angeles is not, nor do we know what recent data for other cities would show, but the data available to us do suggest the following:

- The number of shootings per capita in Los Angeles is not high compared to other U.S. cities for which there are data.

¹⁴ The New York figures are from a secondary analysis of Fyfe's data undertaken by Lawrence Sherman at the request of the Commission's consultant.

¹⁵ The results would be changed little, if at all, by the addition of 10 to 14 single-shot non-injury incidents to our data files. Furthermore, we have no way of knowing whether large numbers of such incidents are not missing from the New York study.

-The ratio of deaths to shootings in Los Angeles in the past was higher than other U.S. cities, although this may not have been the case in 1978 and 1979.

-Los Angeles Police officers shoot more accurately than New York Police officers.

-Los Angeles Police officers have in the past fired a higher mean number of rounds per incident than New York Police officers, although rounds per incident in Los Angeles decreased substantially in 1978 and again in 1979.

These results are consistent with the hypothesis that many shooting deaths have occurred in Los Angeles because the Los Angeles Police Department fires accurately, but the high ratio of deaths to shootings in Los Angeles prior to 1978 may also have been due in part to the high number of shots fired by the Los Angeles Police Department. To the extent that the latter is the case, the decrease in shots fired in the past two years is of some importance.

Several further observations are in order. First, it appears that Los Angeles Police officers face armed opponents with no greater frequency than New York officers. Seventy-two per cent of "primary opponents" were armed in New York compared to 75 per cent of suspects in Los Angeles. The same also appears to be the case when Los Angeles is compared with the seven cities surveyed by

the Police Foundation.¹⁶ Second, shooting backgrounds may present a greater risk to bystanders in New York than Los Angeles. Third, the ammunition used by New York Police officers is different from that used by Los Angeles Police.¹⁷ It may also be that neither backgrounds nor ammunition make any difference in numbers of shots fired once an officer decides to shoot, although both may affect the way he is conditioned to shoot.

¹⁶Police Use of Deadly Force found that 57 per cent of persons shot (hit) were armed with guns and "other weapons, primarily knives" in the seven cities studied. In Los Angeles, 59 per cent of persons shot from 1974 through 1978 possessed guns or knives. The Police Foundation reported that a higher proportion of persons shot was unarmed than is indicated in Los Angeles. (The differences between percentages reported in the text and this footnote are primarily explained by the fact that persons using vehicles for assault, simulated weapons, and blunt instruments were considered armed for purposes of this study, but not for purposes of the Police Foundation report.)

¹⁷New York Police Department uses 158 grain semi-wadcutter ammunition compared to the 158-grain round ball ammunition used by the Los Angeles Police Department.

1. Numbers and Circumstances of Shootings

A large number of blacks compared to Hispanics and whites have been involved in police shootings in Los Angeles. Of the 584 suspects shot at from 1974 through 1978 whose race or descent is known, 321 (55 per cent) were black, 126 (22 per cent) were Hispanic, 131 (22 per cent) were white, and 6 (1 per cent) were of other non-white origins. The race or descent of 21 suspects shot at from 1974 through 1978 is unknown. In 1979, however, of 101 suspects shot at whose race or descent is known, 46 (45 per cent) were black, 32 (32 per cent) were Hispanic, and 23 (23 per cent) were white. The race or descent of one suspect shot at in 1979 is not known.

The proportion of black suspects involved in Los Angeles Police Department shooting incidents appears to have changed little over the decade prior to 1979. During a three and a half year period from 1968 to 1971, 57 per cent of suspects shot at by Los Angeles officers were black.¹⁸ This proportion differs insignificantly from the proportion of suspects shot at who were black--55 per cent--from 1974 through 1978.

¹⁸ Descriptive data concerning 695 shooting incidents was included as part of the "Enactment Development Plan" for the DEFT shooting simulator, which is now in operation. Whether the 695 incidents include all shootings in the 42 month period covered is not stated clearly. Data for Hispanics were not included in this document.

TABLE 10: POPULATION, ARRESTS, ATTACKS ON OFFICERS, ADW'S UPON OFFICERS, SUSPECTS SHOT AT, SUSPECTS HIT, AND SUSPECTS SHOT FATALLY BY RACE OR DESCENT (PERCENTAGES)

	<u>1977 Popula- tion*</u>	<u>1974-78 Total Arrests</u>	<u>1974-78 Part I Arrests</u>	<u>1974-78 Attacks on Officers</u>	<u>1974-78 ADW's upon Officers</u>	<u>1974-78 Suspects Shot at</u>	<u>1974-78 Suspects Hit</u>	<u>1974-78 Suspects Shot fatally</u>
BLACK	18%	36%	46%	44%	42%	55%	53%	50%
HISPANIC	24	27	24	24	25	22	22	16
WHITE	52	35	28	28	26	22	23	33
OTHER								
NON-WHITE	<u>6</u>	<u>2</u>	<u>2</u>	<u>4</u>	<u>7</u>	<u>1</u>	<u>2</u>	<u>1</u>
	100%	100%	100%	100%	100%	100%	100%	100%
(Number)		(1,267,299)	(219,224)	(5976)	(2360)	(584)	(307)	(128)

* Population percentages are based on results of a 1977 sample survey conducted by the Community Development Department and reported in "Population, Employment, and Housing Survey, 1977" Volume III.

From 1974 to 1978, blacks accounted for 36 per cent of all arrests and 46 per cent of Part I (or F.B.I. Index crime) arrests¹⁹ in Los Angeles. From 1974 to 1978, blacks were reported to have committed 44 per cent of all attacks and 42 per cent of assaults with deadly weapons upon Los Angeles Police officers. Fifty-five per cent of the suspects shot at, 53 per cent of those actually hit, and 50 per cent of suspects shot fatally by Los Angeles Police officers in this period were black.²⁰ In 1979, blacks accounted for 36 per cent of all arrests and 44 per cent of Part I arrests, and were charged with 38 per cent of all attacks and 41 per cent of assaults with deadly weapons upon Los Angeles Police officers. Forty-five per cent of the suspects shot at, 50 per cent of those actually hit, and 62 per cent (8 of 13 suspects) shot fatally by Los Angeles Police officers in 1979 were black.

¹⁹Part I offenses include some violent and some non-violent crimes: murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and auto theft.

²⁰Los Angeles differs little in the relationship of Part I arrests to shootings from the seven cities studied by the Police Foundation. Part I arrests are at best imperfect indicators of life-endangering situations where police use of firearms may be necessary. But they are the only data available for the cities studied by the Police Foundation that classify citizens by race or

Continuation Footnote 20

descent. Whereas 46 per cent of Part I arrestees and 53 per cent of persons shot in Los Angeles from 1974 through 1978 were black, the corresponding proportions for blacks are 83 per cent of Part I arrests and 80 per cent of shootings in Birmingham; 76 per cent of Part I arrests and 76 per cent of shootings in Oakland; 27 per cent of Part I arrests and 44 per cent of shootings in Portland; 61 per cent of Part I arrests and 62 per cent of shootings in Kansas City; 53 per cent of Part I arrests and 64 per cent of shootings in Indianapolis; 94 percent of Part I arrests and 89 per cent of shootings, in Washington, D.C.; and 83 per cent of Part I arrests and 80 per cent of shootings in Detroit. The difference between percentages of persons shot who were black and black Part I arrestees is higher than Los Angeles in Portland and Indianapolis but lower in Birmingham, Oakland, Kansas City, Washington, D.C., and Detroit. These data, which are not reported for individual cities in Police Use of Deadly Force, were provided to the Commission's consultant by the Police Foundation. No comparable data on Hispanics were available from the Police Foundation.

From 1974 through 1978, Hispanics accounted for 27 per cent of all arrests and 24 per cent of Part I (or F.B.I. index crime) arrests in Los Angeles. From 1974 to 1978 Hispanics were reported to have committed 24 per cent of all attacks and 25 per cent of assaults with deadly weapons upon Los Angeles Police officers. Twenty-two per cent of the suspects shot at, 22 per cent of those actually hit, and 16 per cent of suspects shot fatally by Los Angeles Police officers in the period were Hispanic. In 1979, Hispanics accounted for 31 per cent of all arrests and 30 per cent of Part I arrests, and were charged with 32 per cent of all attacks and 34 per cent of assaults with deadly weapons upon Los Angeles Police officers. Thirty-one per cent of the suspects shot at, 33 per cent of those actually hit and 15 per cent of those (2 of 13 suspects) shot fatally by Los Angeles Police officers in 1979 were Hispanic.

Reported total attacks on police officers and assaults with deadly weapons on officers declined in the 1974-1979 interval as did the proportions of these attacks involving black suspects. Thus, of suspects charged in connection with attacks on officers, 52 per cent in 1974 were black, 41 per cent in 1978, and 38 per cent in 1979. Of suspects charged with assaults with deadly weapons on officers, 51 per cent in 1974 were black, 40 per cent in 1978, and 41 per cent in 1979. The number of black suspects charged with attacks on officers declined even more noticeably--from 646 in 1974, to 440 in 1978, and 377 in 1979. The number of blacks involved in assaults

with deadly weapons on officers also declined during this period, from 239 in 1974 to 199 in 1978 and 163 in 1979. The proportion of attacks on officers involving Hispanics increased during the same 1974-1979 interval. 21 per cent of suspects charged in connection with attacks on officers in 1974 were Hispanic, compared to 26 per cent in 1978 and 32 per cent in 1979. Of suspects charged with assaults with deadly weapons on officers, 22 per cent in 1974 were Hispanic, as were 27 per cent in 1978 and 34 per cent in 1979. The number of Hispanic suspects charged with attacks on officers has also increased--from 257 in 1974 to 283 in 1978 and 321 in 1979. The number of Hispanics involved in assaults with deadly weapons on officers increased from 104 in 1974 to 135 in both 1978 and 1979.

Departmental records do not indicate the race or descent of assailants involved in shootings of officers from 1974 to 1978. However, a total of 19 officers who discharged their weapons were shot--that is, hit--by suspects' bullets from 1974 through 1978. Thirty-seven per cent (seven) of the suspects involved in these shootings were black, 37 per cent (seven) were Hispanic, and 26 per cent (five) were white. From 1974 through 1978, five Los Angeles Police officers were shot fatally. Four blacks and one Hispanic were apprehended in connection with these shootings; the descent of the person responsible for one of the officer fatalities is unknown.

A higher percentage of shootings by police officers than of reported violent crimes takes place in preponderantly black communities Los Angeles. From 1974 through 1978, 26 per cent of

TABLE 11: REPORTED ATTACKS ON OFFICERS BY RACE OR DESCENT, 1974-1979

<u>All Attacks on Officers</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>
Black Number	646	540	603	429	440	377
Percent	52%	48%	43%	39%	41%	38%
Hispanic Number	257	220	364	288	283	321
Percent	21%	20%	26%	26%	26%	32%
White Number	308	331	372	350	304	270
Percent	25%	29%	27%	31%	28%	27%
Other Number	42	39	58	48	54	27
Percent	3%	3%	4%	4%	5%	3%
TOTAL	1253	1130	1397	1115	1081	995
<u>ADW's On Officers</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>
Black Number	239	187	206	166	199	163
Percent	51%	45%	40%	36%	40%	41%
Hispanic Number	104	92	142	124	135	135
Percent	22%	22%	27%	27%	27%	34%
White Number	103	112	132	136	126	85
Percent	22%	27%	25%	30%	25%	21%
Other Number	23	27	38	30	39	19
Percent	5%	7%	7%	7%	8%	5%
TOTAL	469	418	518	456	499	402

homicides, forcible rapes, and robberies occurring in Los Angeles took place in the Southwest, 77th Street, and 50th Street Divisions of the Los Angeles Police Department. Thirty-three per cent of police shooting incidents involving suspects within the City limits of Los Angeles occurred in these three divisions, as did 31 per cent of shootings where a suspect was hit and 34 per cent of fatal shootings of suspects by the Los Angeles Police Department.²¹

A greater proportion of shootings at blacks than at Hispanics and whites followed suspects' disobeying officers' orders to halt and suspects' appearing to reach for weapons. From 1974 through 1978, fifteen per cent of shooting incidents involving blacks were preceded by suspects' disobeying an officer's order to halt, and 12 per cent were preceded by suspects' appearing to reach for weapons. Nine per cent of Hispanic suspects were shot at after disobeying orders to halt and 6 per cent after appearing to reach for weapons; the corresponding proportions for whites were 9 per cent following disobeying orders to halt and 9 per cent after appearing to reach for weapons. The proportion of black suspects shot at after displaying, threatening to use, or actually using a

²¹A similar comparison cannot be made for the Hispanic community since the once preponderantly Hispanic police division in Los Angeles, Hollenbeck, is small and accounts for only three per cent of homicides, forcible rapes, and robberies in the City.

weapon was 66 per cent, whereas 74 per cent of Hispanics and 76 per cent of white suspects were shot at under these circumstances.²²

²² Among suspects involved in shootings precipitated by disobeying an officer's orders or appearing to reach for a weapon, similar percentages of suspects of different race or descent were ultimately determined to be unarmed. Specifically, 70 per cent of blacks, 74 per cent of Hispanics, and 67 per cent of whites involved in those kinds of shootings were unarmed.

TABLE 12: SUSPECT'S ACTIONS PRECIPITATING SHOOTINGS, BY RACE
OR DESCENT, 1974-78

	<u>Black</u>	<u>Hispanic</u>	<u>White</u>
Suspect Using Weapon	22%	23%	28%
Suspect Threatening Use of Weapon	39	45	43
Suspect Displaying Weapon	5	6	5
Suspect without Weapon Assaulting Officer or Civilian	5	9	6
Suspect Appearing to Reach for Weapon	12	6	9
Suspect Disobeying Command to Halt	15	9	9
Other (including accidental shootings of suspects)	<u>1</u>	<u>3</u>	<u>1</u>
	100%	100%	101%
(Number)	(321)	(126)	(131)

Note: Disobeying orders to halt or appearing to reach for weapon were coded only if no assault took place, and there was no use, threat, or display of a weapon in the period immediately preceding the shooting. Assault was coded only if there was no use, threat, or display of a weapon. For each person shot at, only one precipitating event was coded--the most life-endangering.

A greater proportion of blacks than of Hispanics or whites shot at by the Los Angeles Police Department from 1974 through 1978 were ultimately determined to have been unarmed.²³ A somewhat higher percentage of blacks than of Hispanics or whites were carrying guns when they were shot at, but a lower percentage of blacks than of Hispanics and whites had other weapons such as knives, blunt instruments, and so forth. Twenty-eight per cent of blacks involved in shooting incidents with the Los Angeles Police Department in fact possessed no weapon when they were shot at. Twenty-two per cent of Hispanics and 20 per cent of whites were ultimately determined to be unarmed. Fifty-four per cent of blacks shot at possessed guns compared to 48 per cent of Hispanics and 49 per cent of whites; 18 per cent of blacks, 30 per cent of Hispanics, and 31 per cent of whites had other weapons.

²³As noted earlier, unarmed suspects are in most cases suspects involved in shootings precipitated by disobeying officers' orders or appearing to reach for weapons.

TABLE 13: SUSPECT'S WEAPON, BY RACE OR DESCENT, 1974-1978

	<u>Black</u>	<u>Hispanic</u>	<u>White</u>
No weapon	28%	22%	20%
Gun	54	48	49
Other weapon, including automobile	<u>18</u>	<u>30</u>	<u>31</u>
	100%	100%	100%
(Number)	(321)	(126)	(131)

Changes from 1977 to 1978, which reduced shootings at suspects disobeying officers' orders to halt or appearing to reach for weapons (where there was no assault and no use, display or threat of a weapon) and of unarmed suspects, diminished the frequency with which blacks and Hispanics were involved in these kinds of shootings. Thus, eight (of 57) shootings at blacks in 1978 were precipitated by disobeying officers' orders or appearing to reach for weapons compared to an average of 19.75 (of 66) such shootings per year from 1974 through 1977. Eleven blacks shot at in 1978 were found to be unarmed compared to an average of 20 from 1974 to 1977. In 1978, one Hispanic (of twenty) was shot at following disobeying orders to halt or appearing to reach for a weapon (compared to an average of 4.5 of 26.5 from 1974 through 1977), and none was unarmed (compared to 1974-77 average of 4.5). Two whites

(Twenty) were also shot at following disobeying orders to halt or appearing to reach for a weapon (compared to 5.5 from 1974 through 1977), and three white suspects were in fact unarmed (compared to 5.75 per year from 1974 through 1977).

No statistically significant difference exists between blacks and other suspects in the number of shots fired, although under some circumstances fewer shots are fired at Hispanics than at others. Where shootings are precipitated by disobeying an officer, appearing to reach for a weapon, or assaults, blacks are fired upon an average of 2.44 times, Hispanics 1.73 times, and whites 2.41 times. The mean number of shots fired when a suspect either displayed a weapon, threatened to use it, or actually used it was 4.85 for blacks, 4.78 for Hispanics, and 4.99 for whites. The mean number of shots fired at blacks found to be unarmed was 2.62, unarmed Hispanics 1.50, and unarmed whites 2.42.

TABLE 14: MEAN NUMBER OF SHOTS FIRED AT SUSPECT BY RACE
OR DESCENT, 1974-1978

	<u>Black</u>	<u>Hispanic</u>	<u>White</u>
Suspect's Action:			
-Disobeying order to halt, appearing to reach for weapon, assault	2.44	1.73	2.41
-Displaying, threatening use of, actually using weapon	4.85	4.78	4.99
Suspect's weapon:			
-None	2.62	1.50	2.42
-Gun	5.00	4.95	5.16
-Other weapon	3.49	4.16	4.32

2. The Shooting Review Process

A brief comment on the shooting review process is required. The reader is cautioned that the only information about the review process we have is its result: the finding as to whether or not a shooting was in policy, in policy but fails to meet departmental standards, accidental, or out of policy; and the action, if any, taken against the officer in the 1974-1978 interval. We have no information concerning informal discussions among review board members or their interviews with investigators and witnesses that could potentially yield evidence not in the written record, nor do we have information about informal discussions that may have entered into the final classification and the administrative action taken, if any, against the officer. Prior to November 28, 1978, the classification of a shooting and administrative action were under the jurisdiction of the Director (Assistant Chief), Office of Operations. The Director (Assistant Chief), Office of Special Services had this responsibility for the following year. With the adoption of Part 2 of our Report, direct responsibility was transferred to the Board of Police Commissioners and the Chief of Police.

An examination of findings and actions from all shooting reviews (as opposed to the findings in only those cases involving suspects disobeying officers or appearing to reach for weapons and unarmed suspects) shows only small differences in results from the shooting review process for blacks compared to Hispanics and whites. Eighty-two per cent of shootings involving black suspects,

77 per cent involving Hispanics, and 80 per cent involving whites were determined to be in policy. Seven per cent of shootings at black suspects, 9 per cent of shootings at Hispanics, and 11 per cent of shootings at whites were found out of policy.

TABLE 15: FINDING OF SHOOTING REVIEW BY RACE OR DESCENT OF SUSPECT, 1974-1978

	<u>Black</u>	<u>Hispanic</u>	<u>White</u>
In policy	82%	77%	80%
Fails to meet standards	4	6	5
Accidental*	2	4	0
Out of Policy	7	9	11
Multiple findings	<u>5</u>	<u>5</u>	<u>4</u>
	100%	100%	100%
(Number)	(321)	(126)	(131)

*Accidental discharges against persons suspect of crimes.

TABLE 16: ACTION TAKEN BY RACE OR DESCENT OF SUSPECT

	<u>Black</u>	<u>Hispanic</u>	<u>White</u>
None, training	85%	80%	79%
Warning, admonishment, reprimand*	5	9	12
Loss of days off	6	9	4
Suspension, resignation	<u>4</u>	<u>2</u>	<u>5</u>
	100%	100%	100%
(Number)	(321)	(126)	(131)

*Warnings, admonishments, and reprimands are forms of administrative disapproval less severe than loss of days off. Warnings are given orally by commanding officers. Divisional admonishments are written, delivered by the commanding officer, and acknowledged in writing. Departmental reprimands are given in writing at the direction of the Chief of Police, and they require written acknowledgement.

While differences in overall outcomes from shooting reviews are small, larger percentage differences, which are not statistically significant due to the small number of cases involved, appear between suspects of different descent when suspects' most threatening actions just prior to shootings are taken into account. It was shown above that a higher percentage of blacks than others are involved in shootings following suspects' disobeying orders to halt or suspects' appearing to reach for weapons and there was no

assault and no display, threat, or use of weapon immediately preceding the shooting. These kinds of shootings were less often found out of policy in the review process when the suspect was black than when he was Hispanic or white. Specifically, 18 per cent (sixteen of 87) of shootings at blacks occurring after a suspect had disobeyed a police officer's order to halt or after a suspect appeared to reach for a weapon were found out of policy, whereas 32 per cent (six of nineteen) shootings at Hispanics and 33 per cent (eight of 24) of shootings at whites precipitated by these actions were judged out of policy. Twenty-nine per cent (25 of 87) of shootings at blacks either disobeying officer's orders to halt or appearing to reach for weapons resulted in some form of administrative disapproval (ranging from warning to termination) compared to 42 per cent (eight of nineteen) of shootings at Hispanics and 38 per cent (nine of 24) of shootings at whites.

TABLE 17: SHOOTINGS PRECIPITATED BY SUSPECTS' DISOBEYING COMMAND TO HALT OR APPEARING TO REACH FOR WEAPON ONLY:
 FINDINGS AND ACTIONS BY SUSPECT'S RACE OR
 DESCENT, 1974-1978

	<u>Black</u>	<u>Hispanic</u>	<u>White</u>
Per cent out of policy	18%	32%	33%
Per cent administrative			
disapproval (includes	29%	42%	38%
in policy but below			
departmental standards)			
(Number)	(87)	(19)	(24)

As also noted earlier, black suspects shot at are more frequently unarmed than Hispanics or whites. The data also suggest that a smaller percentage of shootings at unarmed blacks were found to be out of policy or deserving of administrative disapproval by the review process than shootings of unarmed Hispanics or whites. Some 22 per cent (20 of 91) of shootings at blacks ultimately found to be unarmed were ruled out of policy, compared to 29 per cent (eight of 28) of shootings at Hispanics and 38 per cent (ten of 26) of shootings at whites. Administrative disapproval was imposed in 33 per cent (30 of 91) of the instances when blacks found to be unarmed were shot at, but administrative disapproval occurred in 43 per cent (twelve of 28) of the cases where unarmed Hispanics were shot at and in 46 per cent (twelve of 26) of the shootings at whites were ultimately found unarmed.

TABLE 18: SHOOTINGS AT UNARMED SUSPECTS ONLY: FINDINGS AND ACTIONS BY SUSPECT'S RACE OR DESCENT, 1974-1978.

	<u>Black</u>	<u>Hispanic</u>	<u>White</u>
Per cent out of policy	22%	29%	38%
Per cent administrative disapproval (includes in policy but below departmental standards)	33%	43%	46%
(Number)	(91)	(28)	(26)

The data suggest that shootings that may deserve the closest scrutiny by review boards and are frequently the most controversial resulted in somewhat different results from the review process, when a comparison is made on the basis of race or descent of suspects. However, it should be noted again that the percentages in Tables 17 and 18 are based on relatively small numbers of cases, and, that a substantial reduction occurred in 1978 in the numbers of cases to which Tables 17 and 18 apply.

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